

REMARKS/ARGUMENTS

The Official Action dated 20 August 2004 has been carefully considered, along with cited references, applicable sections of the Patent Act, Patent Rules.

Claim 2 is objected to because of several informalities.

In response, claim 2 has been amended to be dependent upon claim 1.

Claims 1-11 are rejected under 35 U.S.C. § 102(b) as being anticipated by Vento US5988600.

Applicant respectfully submits that the present invention is significantly different from that of the cited arts as can be seen from their respective structures. Applicant's invention as specified in the amended claims 1-7, 9, and 11 is patentably distinguishable over these references when taken either singularly or in combination for the following reasons:

The Examiner cites Vento, for claim 1, as an example of a water aerating device 1 for an aquarium, comprising a container 14 including a chamber formed therein, and including an entrance 16 and an exit 20, a pipe 24 attached to said entrance of said container, a hose coupled to said pipe, and means for pumping the water to said container.

For claim 10, the Examiner further states that Vento includes a tube having a port (above element 10) having an outlet to supply the water into said aquarium, and a fan device 10 rotatably attached to said port of said tube, for being rotated by the water flowing out of said outlet of said port.

However, actually, as disclosed in col. 6, lines 26-30, the drive

shaft 2 is extended through the hollow sleeve 11, and is affixed to it, so that when the motor turns the drive shaft 2, both impellers 10 and 12 are likewise turned.

In addition, as disclosed in col. 8, lines 18-27, when the booster 12 pumps water in through the water inlet 16 and out through the water outlet 20, a reduced pressure or suction head will form at the water inlet 16, and below the air pressure at air inlet 18, to draw air into the pump housing 14. The booster 12 and the fan device 10 may not be rotated by the water flowing out (not out, but into) of the water inlet 16.

By contrast, in Applicant's invention, as amended in the amended claims 1-7, 9 and 11, in addition to the means (30, 31, 32) that is provided for pumping the water from the pipe (50) into the chamber (22) of the container (20) via the entrance (23) of the container (20), to force the water and the air to flow out through the exit (26) of the container (20), and that is similar to the booster 12 and the fan device 10 of Vento, the Applicant's invention further simultaneously includes a tube (40) attached to the exit (26) of the container (20) to receive the water from the container (20), the tube (40) includes a port (44) having an outlet (45) to supply the water into the aquarium, and further includes at least one blade (47) rotatably attached to the port (44) of the tube (40), for being rotated by the water flowing out of the outlet (45) of the port (44).

The cited arts fail to teach a means (30, 31, 32) for pumping water from the pipe (50) into the container (20), to force the water and the air to flow out through the exit (26) of the container (20), and simultaneously a tube (40) attached to the exit (26) of the

container (20) to receive the water from the container (20) and having a port (44) which includes an outlet (45) to supply the water into the aquarium, and simultaneously at least one blade (47) rotatably attached to the port (44) of the tube (40), for being rotated by the water flowing out of the outlet (45) of the port (44). The applicant's invention is different from that of the cited arts and has improved over the cited arts.

In view of the foregoing amendments and remarks, applicant respectfully submits that the present invention is patentably distinguishable over the cited arts and that the application is now in condition for allowance, and such action is earnestly solicited.

Courtesy and cooperation of Examiner GRILES are appreciated.

respectfully submitted,

By: TSAI, TING-FENG 10/16/2005

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